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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 MELISSA CHINN, D.O.,

9 Plaintiff,

10 v.

11 WHIDBEY PUBLIC HOSPITAL
12 DISTRICT, d/b/a WHIDBEY
13 HEALTH MEDICAL CENTER,

14 Defendant.

15 C20-995 TSZ

16 MINUTE ORDER

17 The following Minute Order is made by direction of the Court, the Honorable
18 Thomas S. Zilly, United States District Judge:

19 (1) Plaintiff's motion to compel discovery responses and deposition testimony
20 beyond discovery cutoff, docket no. 23, is GRANTED¹ in part as follows:

21 (a) With respect to Interrogatory No. 6 and Request for Production E,
22 defendant shall produce to plaintiff within twenty-one (21) days of the date of this
23 Minute Order the following materials: any summary of findings or notes created
24 by Cindy Paget relating to plaintiff and plaintiff's termination. To the extent no
25 responsive information or documents exist, defendant is DIRECTED to indicate
26 such in its responses.

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28 ¹ The Court held oral argument on plaintiff's motion to compel discovery responses and
29 deposition testimony, docket no. 23, on September 15, 2021. This Minute Order confirms the
30 Court's ruling on the record.

(b) With respect to Interrogatory No. 8 and Request for Production L, defendant shall produce to plaintiff within twenty-one (21) days of the date of this Minute Order the following materials: any responsive records documenting Dr. Christina Klemme's conversations with defendant concerning Dr. Klemme's belief she was being treated differently than her male counterparts prior to plaintiff's termination. To the extent no responsive information or documents exist, defendant is DIRECTED to indicate such in its responses.

(c) With respect to Interrogatory No. 9 and Requests for Production M and N, defendant shall produce to plaintiff within twenty-one (21) days of the date of this Minute Order the following materials: (1) any reports related to defendant's investigation into Dr. Nathan Tillotson's alleged unsafe medical practices as reported by plaintiff, and (2) any records documenting plaintiff's report to defendant that more surgeries were directed to plaintiff's male counterparts. To the extent no responsive information or documents exist, defendant is DIRECTED to indicate such in its responses.

(d) With respect to Interrogatory No. 11 and Request for Production P, defendant shall produce to plaintiff within twenty-one (21) days of the date of this Minute Order the following: the Medical Group Management Association (“MGMA”) Guide.

(e) With respect to Request for Production T, defendant shall produce to plaintiff within twenty-one (21) days of the date of this Minute Order the following materials: any notes or written records created by Cindy Paget, Colleen Clark, and/or Connie Lippo referencing an October 2018 meeting concerning complaints which referred or related to plaintiff. To the extent no responsive information or documents exist, defendant is DIRECTED to indicate such in its responses.

(f) The Court finds good cause to extend the discovery cutoff, *see LCR 16(b)(6)*, for plaintiff to conduct the following depositions: (1) Dr. James Giem, (2) Ron Telles, (3) Dr. Nathan Tillotson, (4) Lisa Sanford, and (5) defendant's Fed. R. Civ. P. 30(b)(6) designee. Depositions of the witnesses shall be taken by the parties prior to October 15, 2021.

(g) Plaintiff is AWARDED attorneys' fees and costs in connection with its motion to compel discovery in the amount of \$1,000. *See Fed. R. Civ. P.* 37(a)(5). Within ten (10) days of the date of this Minute Order, defendant shall remit this sum by check made payable to the law firm of Schroeter Goldmark & Bender.

(h) Except as GRANTED, plaintiff's motion to compel is DENIED.

(i) The deadline to file dispositive motions is EXTENDED to October 21, 2021.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 15th day of September, 2021.

Ravi Subramanian
Clerk

s/Gail Glass
Deputy Clerk